

**Proposed Beaufort Sea Oil and Gas Lease
(Sale 97)**

Public Hearings

Wainwright

1986

CLIENT'S COPY

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TRANSCRIPT OF PROCEEDINGS
DRAFT ENVIRONMENTAL IMPACT STATEMENT
FOR
THE PROPOSED OIL AND GAS LEASE SALE 97
IN THE BEAUFORT SEA
WAINWRIGHT, ALASKA
DECEMBER 09, 1986

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550 West Seventh, Suite 205
Anchorage, Alaska 99501
(907) 276-0544

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2 PROCEEDINGS
3 WAINWRIGHT, ALASKA
4 DECEMBER 9, 1986

5 MR. BROCK: I'm very pleased to be
6 here tonight. You've already met the other two members of the
7 panel.

8 My name is Bob Brock and I'm the Regional Supervisor for
9 the Leasing and Environment Office of the Alaska OCS Region of the
10 Minerals Management Service and I'm the designated chair for this
11 hearing. I have few comments that I have to go through to make
12 this a formal public hearing so bear with me and we'll try to cover
13 those as quickly as we can.

14 This is the second of five public hearings that will be
15 held on this proposal. There was one held in Barrow last night, we
16 will to go Kaktovik tomorrow, Nuiqsut, and then finish up with one
17 in Anchorage next week.

18 The purpose of this hearing is to receive the views,
19 comments and suggestions of interested individuals and
20 representatives of local government and organizations on the Draft
21 Environmental Impact Statement. These hearings are also being held
22 for the purpose of receiving comments and suggestions about
23 subsistence per Section 810 of the Alaska National Interest Lands
24 Conservation Act.

25 If any of you have any questions and would like a question
and answer period after the public hearing, we will be glad to

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1 close the official record and answer any questions that you might
2 have. But the public hearing is your chance to make comments
3 without being questioned or anything else. It's your chance to
4 make comments on our Environmental Impact Statement.
5

6 Before we start the hearing, I'd like to give you a little
7 background about the leasing proposal we are studying and about the
8 process we are following to make decisions about that proposal.

9 Federal oil and gas leasing in the Beaufort Sea began with
10 the joint state and federal BF Sale in December, 1979. Since then,
11 we've had two other Beaufort Lease Sales, Sale 71 in October of
12 1982 and Sale 87 in August, 1984. As a result of these sales,
13 approximately two million acres have been leased and you can see
14 those shaded-in portions on our map. This represents only about 4%
15 of the total area in this entire planning unit, which is outlined.

16 And you might notice that Wainwright is not in the sale
17 area itself, or not joining it. It's actually a little way to the
18 south. Leroy, would you point to where Wainwright is there? This
19 area that we're talking about is to the north of that, but since
20 you are concerned with such things as the bowhead whale and it does
21 go through the sale area, we felt it important to come in and make
22 sure that you had a chance to testify at this hearing.

23 To date, 28 environmental studies and 25 social and
24 economic studies exclusive to the Beaufort Sea Planning Area, have
25 been conducted through Minerals Management contracts. In addition,
MMS has contracted for another 152 environmental and social and

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1 economic studies that are applicable to the Beaufort Sea Planning
2 Area as well as other offshore areas off of Alaska.

3 This Draft EIS covers approximately 21 million acres, this
4 area going up to the corner, down and back over. It does not
5 include this area here. The total area on the map inside of that
6 is some 49 million acres, but this particular EIS covers this near
7 shore and the blue and red area over on that other side.

8 As a result of further consideration between now and the
9 lease sale itself, the size of this area can only be reduced. It
10 cannot be expanded at all.

11 MMS estimates that there is a 69% chance of recoverable
12 oil and gas being present in the area covered by this EIS.

13 Our major goal is to find out more precisely what our
14 domestic energy supplies are, where they are located, how much they
15 will cost to produce, and then allow them to be produced where it
16 is possible to do so in an environmentally safe manner.

17 In addition to reducing reliance on uncertain foreign
18 supplies with obvious national security implications, domestic
19 production reduces the exporting of dollars and jobs. Benefits
20 accrue directly to local individuals and also to state and local
21 governments. This is because the leasing program generates
22 hundreds of millions of dollars of revenue each year and when
23 discoveries are made, more millions are generated through royalties
24 on production and corporate taxes. These monies are deposited in
25 the federal treasury and help support all appropriated programs.

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2 Thus, a large proportion of the money returns to individuals in one
3 form or another, or it is passed directly to state and local
4 governments as congress sees fit.

5 The Draft Environmental Impact Statement pulls together
6 almost two years of preparation which included such actions as a
7 call for information, scoping, and we were here last year for the
8 scoping process, area identification and so forth.

9 Adding to this, MMS has in place a host of regulations and
10 operating rules that are designed to make offshore operations clean
11 and safe.

12 To begin with, a large number of federal laws control
13 offshore operations. Some examples include the OCS Lands Act, the
14 National Environmental Policy Act, the Endangered Species Act, the
15 Marine Mammal Protection Act and the Coastal Zone Management Act.

16 If a sale is held and leases are awarded, lessees cannot
17 just start drilling. There are many federal and state requirements
18 in place to ensure that exploration, drilling and production
19 proceed in an environmentally safe and acceptable manner.

20 First, before exploration can begin, Lessees have to
21 prepare exploration plans. Lessees must prepare large numbers of
22 these plans for very broad distribution and review before approval
23 of the federal government. But even our approval is not the final
24 word. The State's Coastal Zone Consistency Certification is also
25 necessary.

Next, a drilling permit is required. Once drilling is

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2 underway, an MMS inspector will be either on the rig or will be
3 nearby at all times.

4 Then, if a discovery is made, the planning and approval
5 process starts all over again and we must prepare another
6 environmental analysis before development and production can take
7 place.

8 The federal government has numerous requirements to ensure
9 drilling and well safety. For example:

- 10 1) We require emergency plans in the event of blowouts;
11 2) We require that companies use experienced and trained
12 drilling crews and that drillers attend certified
13 schools to keep up-to-date on well control methods;
14 3) Oil spill control and cleanup equipment must be in
15 — place and we require training and drills on its use
16 for everyone.

17 The list goes on and on.

18 To further reduce potential risks, many additional
19 mitigating measures are proposed in the EIS and if adopted will
20 become part of the lessees' official lease. For example:

- 21 1) The requirement to establish a training program which
22 must be attended at least once a year by all on-site
23 workers. One of the purposes of this program is to
24 educate oil and gas workers about subsistence
25 practices and their importance.
- 2) A seasonal drilling restriction would be in place to

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1 protect the bowhead whale.

- 2
- 3 3) A requirement for additional biological surveys if it
- 4 turns out that they are needed.
- 5 4) A stipulation to control the design and use of
- 6 pipelines.
- 7 5) An alert to lessees that their activities will be
- 8 subject to the policies of the State Coastal
- 9 Management Program as modified by District Programs.
- 10 6) Information to lessees about the location of areas of
- 11 special biological and cultural sensitivity.

12 These are just a few of the potential mitigating measures.

13 The EIS is a very important element in this decision

14 process. The OCS Lands Act requires that the Secretary of the

15 Interior balance the decision about national public policy goals.

16 These decisions sometimes compete with each other. The Secretary

17 must also balance the decisions between the national interests and

18 the well-being of the citizens of the local areas. Needless to

19 say, this is often a difficult and conflicting task.

20 Now, I'm sure you've heard enough from me so we will get

21 right in to the hearing. When you speak, if you could, either come

22 over to this chair because we have to get it on the recorder, and I

23 believe we can pick it up from the front of the room, talking this

24 way. If we don't, we will ask you to come over to this chair

25 because we want to be sure we get everything on tape.

We have a few rules that I would like you to follow to

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1 make sure that the hearing runs smoothly and is properly recorded:
2

- 3 1) First, when you speak, state your name, address,
4 occupation, and the organization or agency, if there
5 is one, that you represent. We need to have this
6 information recorded in the transcript.
- 7 2) Please try to keep your comments to about ten minutes.
- 8 3) If you have copies of your prepared testimony, please
9 give a copy of the testimony to the Court Reporter
10 over here on the right.
- 11 4) If you wish to submit additional written testimony
12 besides what you speak, give this material to the
13 Court Reporter also and it will then be entered into
14 the hearing record.

15 The official Court Reporter will make a verbatim
16 transcript of the hearing. Everything that is spoken while the
17 hearing is in session will be recorded.

18 Copies of the transcript are available through Accu-Type
19 Depositions, Anchorage, Alaska. The telephone number 276-0544.
20 They are not available through the Minerals Management Service. If
21 you would like a copy, you can make the necessary arrangements
22 tonight with Angie Hecker tonight, the Reporter there, and she will
23 be glad to work out how for you to get a copy.

24 This is not an adversary proceeding. No one will be
25 placed under oath. Presentations should be relevant and supported
by pertinent data. Speakers will not be questioned unless a member

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1 of the panel wishes to have some facts clarified or to obtain
2 additional information. We are most interested in understanding
3 the views of all interested parties about the Draft Environmental
4 Impact Statement for this sale area, Sale 97 in the Beaufort Sea.
5

6 To help in the process, we have asked that a translator be
7 present to provide an English translation of your comments to those
8 of you who wish to speak Inupiat.

9 The comment period for this EIS closes on January 6,
10 1987. Until that time, MMS will also accept written comments and
11 statements from anyone who would prefer to make written rather than
12 oral comments, from anyone wishing to supplement their oral
13 comments, or from anybody who is unable to attend the hearing.
14 These written comments should be addressed to the Regional
15 Director, Minerals Management Service, 949 East 36th Avenue,
16 Room 110, Anchorage, Alaska, 99508, Attention: Dick Roberts. That
17 address and information is in this folder if anyone would care to
18 pick one up.

19 Remember, the comment period closes January 6, 1987. All
20 written comments received prior to that date, January 6, 1987, will
21 be included as a part of the hearing record.

22 Now, since we didn't have a signup sheet, I will recognize
23 anybody that would like to make a statement for this purpose. Is
24 there anybody that would like to testify on this proposal?

25 (TRANSLATION BY MS. PANIGEO)

MR. BROCK: Thank you. Is there

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1 anybody who would like to testify or make any kind of comments on
2 our EIS or the possibility of this sale?

3
4 DAVID KAGAK: (SPEAKS IN INUPIAT)

5 MS. PANIGEO: This is David Kagak.

6 MR. BROCK: How do you spell that
7 last name?

8 MS. PANIGEO: K-A-G-A-K, and he --

9 DAVID KAGAK: I'm asking that the
10 Council give their testimony first.

11 MS. PANIGEO: He is asking that
12 the Council members speak up first.

13 MR. BROCK: Okay.

14 MAYOR KAGAK: Does anybody in the
15 Council volunteer start? I think (INDISCERNIBLE).

16 COURT REPORTER: I'm afraid the
17 microphone isn't picking you up clear over there very clearly.
18 Would it be possible for you to stand here? It won't reach clear
19 over there. Would it be possible to turn that fan off? That's
20 great.

21 MAYOR KAGAK: I'm just going to
22 start what I was going to say a little while ago. This public
23 hearing sort of surprised me because there was no prior
24 notification to the city office that this public hearing was coming
25 to Wainwright.

I think it caught the whole Council here by surprise too

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2 because after we made the agenda, the following day, a couple of
3 days later, I noticed the public hearing notice was posted in our
4 village. I didn't even have a chance to go over that big -- this
5 one (INDICATING DEIS).

6 I'm kind of sorry, David, because I don't know where to
7 start on this one, but it will take me maybe a couple of weeks,
8 before January 6th, to submit my comments on behalf of the
9 Wainwright City Council.

10 You know, all along, we had public hearings on the
11 environmental impact statements taken from the villagers. All
12 these years we've given our local concerns to the federal
13 government, Department of Interior. I don't know if we're getting
14 better at giving testimony to the federal government about our
15 local way of living, how we use the land and the water and the air.

16 I think I'm beginning to realize the exploration, the oil
17 exploration, is starting to come on this way while at the same
18 time, the land exploration is going this way. I hate to see the
19 effect of the impact that it will have on the whaling villages, but
20 then yet, looking today, if there is some maximum output taken from
21 the local people up here in the Arctic region, I think we can grow
22 with the exploration to a certain extent, if the input from our
23 village people, especially the elders, are taken seriously.

24 I appreciate you federal government coming to our village,
25 but yet the next time I think I would insist that there be at least
a month notification to have another public hearing like this, to

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1 this office. I don't know how this was set up because my staff and
2 I tried to recollect if we had had any notification of this public
3 hearing. Somewhere in the process this office was left off for
4 setting up this public hearing tonight.

5 I think another thing, you know, this office gets these
6 books, these thick books we get. It's nice for one person to get
7 them, but then one person is one person and that can miss a lot of
8 information that needs to be transmitted to you. I wish I can make
9 a hundred copies and distribute them to my people here in the
10 village so we would have a chance to really go over them page by
11 page because I know this meeting or this hearing is out of that
12 book.

13 If there is some highlighted form or a small booklet that
14 the department can provide to the villages before the meetings,
15 maybe we can have a public meeting before we have a public hearing
16 with you so that way, in our village, especially because we are a
17 whaling village, we subsist on the whale, the sea, that's very
18 important that we want to pass on to our later generations.

19 And you know, even the Borough did submit comments on this
20 public hearing. It's only a few pages. So, I guess, in a way they
21 were caught unaware too, or is that vice versa?

22 MR. SAVOK: I think there was
23 adequate time to review the EIS. Those comments are not in detail
24 for all the comments that will be made to MMS. The Borough,
25 because of its size, the organization itself, has several technical

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1 people in there that will make more comments pertinent to that EIS
2 to MMS. Those are just the general comments on the main concerns
3 that the North Slope Borough had.
4

5 MAYOR KAGAK: Thank you, James.

6 Another thing, I know you said that you like to have people
7 testify, especially in the small villages like this. Like, for
8 instance, me, I don't make any prepared statements, neither do my
9 people.

10 I'm kind of baffled in this. I want to say something to
11 that. Maybe I answered my own question a little while ago. When
12 we know you are coming to have a hearing in Wainwright, you notify
13 us at least thirty days ahead, this office, this City office, so
14 that the people will have a chance here to get their comments
15 together and then we just submit them to you.

16 Another thing that just came to mind is if it's allowable
17 to have a planning department spearhead these public hearings, like
18 maybe right here, we understand right away what it's all about.
19 Like, we've got a Fish & Wildlife Game Management Board within the
20 Borough. Maybe if you guys worked together with them and then our
21 own board here, for instance, takes the input, the EIS statements,
22 and that would work a lot more effective.

23 Now, you're in school. (LAUGHTER) Anyway, like I said,
24 we were kind of caught off guard. David, like I said, I'm sorry,
25 but somewhere along the line communications weren't complete.

Thank you.

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2 MR. BROCK: I would like to
3 apologize for that. We did work through the Borough and we would
4 have been glad to send somebody out if that would have helped. We
5 didn't think of that, the Borough didn't ask it, and I'm sorry. We
6 had never been requested for that so I can't do any more than say
7 that we've learned by that and we will try... You know, the
8 comment period on this doesn't close until January 6th and we will
9 try any way we can to help you there.

10 But we can't reschedule it because it's just a matter of a
11 legal thing that we can't reschedule the coming out here. But we
12 will be glad to take any additional information you would like to
13 give us and we do apologize that you didn't get the word. We will
14 probably in the future make that contact personally ourselves too
15 just to make sure that you know.

16 MAYOR KAGAK: Thank you.

17 MR. BROCK: Thank you. Written
18 testimony is every bit as good as oral testimony. It goes into the
19 public record and it's reviewed and answered just like the oral
20 testimony is.

21 DAVID KAGAK: How soon the answer
22 will be sent back?

23 MR. BROCK: How soon what?

24 DAVID KAGAK: How soon the answer
25 will be sent back to the people who make the testimony?

MR. BROCK: It's in the final

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1 impact statement. In other words, the process is that a Draft
2 Environmental Impact Statement is written, we hold a public
3 hearing, we answer all of the comments, literally, one by one, or
4 every concern that's brought up, in the final impact statement and
5 everybody that --

6
7 DAVID KAGAK: There's only one
8 book?

9 MR. BROCK: No. Well, it's in one
10 book, but we print 2,500 of them so it's... And we would have been
11 glad to give you more copies. I don't know how many came up right
12 off the top of my head. Three? We would have been glad to furnish
13 more copies if we'd known that you wanted more copies and we would
14 do the same --

15 DAVID KAGAK: Three copies is not
16 enough for the whole village like this, for five hundred people.
17 It cannot go around to each individual house to be read, you
18 know. It's pretty hard.

19 MR. BROCK: Right. We would be
20 glad to furnish more if we were asked for more. But we can't send
21 one to everybody in the state because everybody in the state
22 wouldn't read it. So, all we do is put out a sampling and as soon
23 as people ask for them we send more. Yes, sir?

24 UNIDENTIFIED VOICE: Did you say
25 that a tape recording is also legal for testimony? A tape-recorded
testimony, would you accept that?

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MR. BROCK: I've never been asked that question before. I would prefer it in writing, but I guess that if we got it in a tape recording we would have it transcribed. I've never been asked that before, but I don't see any reason why we wouldn't.

We would have to have it transcribed, therefore, I would prefer to have it in writing. But we certainly wouldn't throw it away. We would transcribe it if you give it to us in English. (LAUGHTER) If you give to us in Inupiat, we can't transcribe it, but we would be glad to transcribe it as long as it gets in before the 6th.

UNIDENTIFIED VOICE: Thank you.

MR. BROCK: You bet. We'll work very hard at getting any input we can from you to make sure that we cover your concerns.

MS. BODFISH: What do you need, our names first?

MR. BROCK: Please. That way we will make sure we get the right name.

MS. BODFISH: Okay, I'm Alma Bodfish. Do want me to spell it?

MR. BROCK: We've got it there, thank you.

MS. BODFISH: If you're going to have drillings and seismic wells at Barrow and Kaktovik, I think

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1 that's going to affect the whole North Slope. It affects the
2 bowhead, the sound effects of the oil rigs, and everyone is
3 concerned about oil spills. That's all I have.
4

5 MR. BROCK: I might add, just as a
6 point, that we held a hearing last night in Barrow and I don't have
7 a summary right handy, but we heard from, I believe it was six
8 members of the Borough's Wildlife Department staff on their
9 concerns on the EIS and various other people. We had thirteen
10 people testify from, I believe, the planning department. You're
11 from the planning department?

12 MR. SAVOK: There were some from
13 the Planning Department and Wildlife Management made general
14 comments.

15 MR. BROCK: Right, and a couple of
16 whaling captains, over the concerns, and, like I say, thirteen
17 people testified and we went on for three and a half hours. So, it
18 was very good testimony.

19 MS. AGNASAGGA: May I be
20 recognized? My name is Lydia Agnasagga and this is how you spell
21 my last name. Spare me to spell my last name, it's too long.

22 I just want to comment that I forgot all about the hearing
23 yesterday at Barrow and I kept listening on the radio and I
24 completely forgot after we had meetings at the church yesterday and
25 I'd been wanting to hear what their testimonies would be and I'm
not sure if they had it on the air or not yesterday in town.

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1
2 MR. BROCK: I heard it tonight
3 over television.

4 MS. AGNASAGGA: Our mayor has
5 stated that we could have been more prepared for this public
6 meeting tonight, but we weren't aware of it. I thought that the
7 City had those things publicized in the public places, but it was
8 in the City then, I found out just tonight.

9 My only comment is that we do live on subsistence and it's
10 very important for us to continually live substistencely and it's a
11 way a way of survival. That's my only concern. Thank you.

12 MR. BROCK: Thank you.

13 MS. ANGASSAGGA: And to add to it,
14 I think everyone here should at least say something, at least a few
15 words. Just because we are here, councilmen, I mean, we can't talk
16 in public. I think it's open for everyone here in the village in
17 this place for anyone to speak up.

18 MR. BROCK: Yes, sir?

19 MR. PANIK: David Panik,
20 P-A-N-I-K.

21 MR. BROCK: Would you please come
22 over here, sir, so we can be sure and get you on the microphone?

23 MR. PANIK: I use my own
24 language. (SPEAKS IN INUPIAT)

25 MS. PANIGEO: I have a question
for you, just how the oil rig will be set up down in the ocean,

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2 down in the Beaufort Sea, just how the rig, the drilling rig, will
3 be set up.

4 Is it going to be set up down on the floor of the ocean or
5 is it going to be on top of the water, the platform for the rig?
6 This was my first question.

7 MR. BROCK: I'm not sure what the
8 water depth is out here, but I believe that the water --

9 MR. STRINGFELLOW: No, he said the
10 Beaufort Sea.

11 MR. BROCK: Oh, in the Beaufort?
12 Well, close to shore they usually build a gravel island and put the
13 rig on top of the gravel island. Further offshore, in the deeper
14 water, they go to what they call a drill ship or some kind of
15 another rig. They built one rig up there that's kind of a cement,
16 and maybe you can explain this better than I can, but a cement rig
17 that actually sets on the bottom of the floor of the ocean up to
18 about what, fifty feet?

19 MR. STRINGFELLOW: Sixty to eighty
20 feet, I think.

21 MR. BROCK: And if it's in deeper
22 water than that, then they use a drill ship that's sitting on top
23 of the water.

24 (TRANSLATION BY MS. PANIGEO)

25 MR. PANIK: (SPEAKS IN INUPIAT)

TRANSLATION BY MS. PANIGEO: I

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1 have another question. This other question is about the walrus.
2 It's not about the walrus itself, but it is about the clams that
3 the walrus eat from the floor of the ocean. Have you ever made any
4 locations, any findings on exactly where you can find the clams
5 that the walrus eat because we eat the walrus and the walrus eats
6 the clams. Have you ever found out the direct location where the
7 clams can be found on the ocean floor?

8
9 MR. SCHINDLER: There has been a
10 study on clams.

11 MR. BROCK: Yes, there has been a
12 study on clams and it is in the environmental statement.

13 (TRANSLATION BY MS. PANIGEO)

14 MR. PANIK: (SPEAKS IN INUPIAT)

15 TRANSLATION BY MS. PANIGEO: And
16 about the whale, the plankton and anything else that the whales
17 eat, have you ever found out exactly how they shift around in the
18 water? This food, this thing that the whale eats, whatever it is,
19 plankton, whatever the whale eats, have you ever found out exactly
20 whereabouts in the ocean they can be located and where they go?
21 Because we have noticed that the whale follows all this whether it
22 be right close to the shore or whether it be anywhere else in the
23 ocean, just so the whale can be found where all their food is.

24 MR. BROCK: We have studied that
25 and we are continuing to study both the locations and the feeding
habits of the whale.

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2 (TRANSLATION BY MS. PANIGEO)

3 MR. PANIK: I also agree with what
4 Jacob said. If they come through the North Slope like this, we
5 that are inside the North Slope should be notified a month
6 before. I agree with Jacob.

7 MR. BROCK: Any other comments on
8 the subsistence or concerns or...

9 MR. BROWER: Good evening. My
10 name is Charlie Brower and I work for the Department of Wildlife
11 Management.

12 Yesterday, I made a comment on the pipeline that might be
13 built if they find oil offshore and the way I read into these
14 books, it's going to 120 miles north of Point Belcher. If they
15 find oil, they're going to go in that area and make a pipeline on
16 the southern part of NPRA 4 to Pump Station 3 right across the
17 whole thing. That's about 120 miles, 140 kilometers, the way I
18 read it.

19 After that, they'll build a pipeline if they find oil or
20 gas on NPR 4, but if they don't find oil there, they'll transfer
21 the oil in the platforms to tankers, which will bother the whaling
22 season, the whale hunt, and the way the tankers will be going into
23 the open leads and the whales will be affected by the noise, the
24 crunching of the ice, they'll try to break through the ice, and
25 traveling in the shorefast ice that's open.

The more I read into this book, the more I find out about

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1 these things. I don't think it's very effective to have a tanker
2 out there while they're out there whaling and stuff like that.
3 That's the only reason I find so far that's going to transfer the
4 oil if they find oil offshore if they don't build that pipeline
5 across the NPRA 4.

6 And the other thing is, you must take subsistence impact
7 into account because of 810 of ANILCA which is supposed to protect
8 subsistence. If bowhead, in their migrating or feeding habitats
9 are negatively impacted, the National Whaling Commission is likely
10 to stop the subsistence harvest of whales and ANILCA.

11 Yesterday I didn't even get to see the letter on Section 8
12 of ANILCA and it's required that the feds do the following
13 action: 1) declare action to be found in national interest, 2)
14 minimize amount of land to achieve the action, 3) adopt sufficient
15 minimization to minimize the impact on subsistence. And that's
16 wanting to take our subsistence rights on 810 ANILCA and I haven't
17 quite figured out -- I mean, I've read a little bit of ANILCA in
18 810 and it's quite true that they need to realize that subsistence
19 is the life of our area here and that's what I wanted to bring out,
20 sir.

21
22 MR. BROCK: All right. I wanted
23 to clarify one point and that's that as far as the pipeline is
24 concerned that you're talking about, that is what we think might
25 happen. But until the company actually finds oil or whatever, then
they will then make the determination of where the pipeline would

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1 go. We think that it would probably go across that area, but, you
2 know, it depends on where the strike is.

3
4 MR. BROWER: It depends. If they
5 find oil offshore they might not even make a pipeline across?

6 MR. BROCK: They might make it
7 somewhere else other than where we laid it out, but before a
8 pipeline would be approved, it would go through the same
9 environmental process, just for that pipeline, as we go through on
10 a lot of other things. There would be another environmental
11 analysis done.

12 So, this is not the environmental analysis for that
13 pipeline. This is just one way that it should be transported.
14 Just so that you understand that there's another clock to go
15 through on that sort of process.

16 MR. BROWER: I'll keep reading to
17 find out some more details.

18 MR. BROCK: Okay.

19 MR. SAVOK: My name is James
20 Savok. I think that it would probably be a little bit more helpful
21 if I try and air out at least the four major points of the North
22 Slope Borough's comments to the EIS at the last night's public
23 hearing.

24 The North Slope Borough took a position that it would not
25 oppose all of the Sale 97 area. That includes the Chukchi Sea to
the west and the Beaufort Sea to the right. But the position that

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1 the North Slope Borough is taking, though, is that in this EIS
2 there is a provision, Alternative IV, which is the Barrow Deferral
3 Area.

4 The North Slope Borough took a position to defer that area
5 for a minimum of five years and probably for a longer period of
6 time because that area only contains a small open lead for the
7 whales to migrate through there during their spring migration. The
8 chances for impacting the whale migration is great.

9
10 DAVID KAGAK: I've got one
11 question for you. Is that area outside of Barrow?

12 MR. SAVOK: Yes, Barrow is right
13 here.

14 DAVID KAGAK: Yes. Is that
15 between Wainwright and Barrow?

16 MR. SAVOK: Partially.

17 MR. BROCK: Yes. Wainwright is
18 right here and Barrow is right here.

19 DAVID KAGAK: Okay.

20 MR. SAVOK: That only deals with
21 that lease area that's covered in this EIS.

22 The North Slope Borough also took the position to
23 Alternative V, which is the Kaktovik Deferral Area, that they would
24 like to see that area deferred until the current studies that are
25 being made on the habitat or the feeding areas of the bowhead whale
within that area. And the alternative that the North Slope Borough

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1 is offering MMS is that they would combine those two deferral areas
2 into all of the lease sale area and that we would like those two
3 areas deferred for the periods of time that I had just mentioned
4 based on the needs of the bowhead whale.

5 The Chukchi Sea area, the North Slope Borough is not
6 opposed to any leasing in that area at this time. However, the
7 North Slope Borough feels that more studies need to be made on
8 waters in that area to study the marine life, to study the food
9 sources to the marine life, because we know that that area also
10 contains subsistence resources that we're dependent on. That
11 includes polar bear, walrus, whale, fish, plants, all of these
12 kinds of resources, studies that need to be made.

13 So, those are the four areas that I wanted to point out
14 here that would help, maybe, with more discussions from you folks
15 because I think there needs to be a lot of interplay amongst all
16 you whalers, subsistence hunters for walrus, oogrook, everything
17 else that you have up here. So, I think it's very important that
18 you confront -- and I'm asking you to let them know what some of
19 your concerns are here. Thank you.

20 MAYOR KAGAK: When was that map
21 made?

22 MR. BROCK: When was it made?

23 MAYOR KAGAK: Yes.

24 MR. BROCK: It's a little over a
25 year old. About a year ago. You mean this orange area? We put it

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1 on, I would guess, what, about six months ago.

2
3 DAVID KAGAK: Do you visit only
4 Barrow area for that purpose here?

5 MR. BROCK: No, we did scoping
6 here. We were here, what, a little less than a year ago, I
7 believe. I can't remember. I'd have to go back and look at the
8 dates. We've been here twice on scoping, once for this proposed
9 sale and once for the sale that would be done on the next side,
10 which we're doing an EIS right now for. And then we came back
11 again and did a joint scoping effort to find out what the concerns
12 were throughout this whole area, on both sales. And that was the
13 one when we were here, I think it was last March, I'm not sure of
14 the date. April?

15 MR. ROBERTS: April 12th through
16 15th.

17 MR. BROCK: All right, April 12th
18 through 15th of 1986.

19 MR. ROBERTS: '85.

20 MR. BROCK: Okay, 1985, a little
21 over a year ago.

22 DAVID KAGAK: (SPEAKS IN INUPIAT)

23 TRANSLATION BY MS. PANIGEO: My
24 name is David Kagak and I live here in Wainwright and I have a
25 question.

He wants to know how big the size is in that orange shaded

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1 area.

2
3 DAVID KAGAK: What acreage are you
4 talking about in the blue one there?

5 MS. PANIGEO: The blue one?

6 DAVID KAGAK: Yes.

7 MR. BROCK: Well, just to give you
8 -- and you probably can't see it from there, but this area right
9 here is what we call a block. It's three miles on a side. In
10 other words, from here to here is three miles so just in this pink
11 area you've got one, two, three, four, five, six, seven, about
12 eight blocks this way and then --

13 MS. PANIGEO: It was my mistake.
14 He wanted --

15 MR. BROCK: 24 miles, and then
16 this way, one, two, three, four, five, six, seven, eight, nine,
17 ten, eleven, twelve, thirteen, fourteen, there's fifteen blocks
18 across here.

19 MS. PANIGEO: It was my mistake,
20 Mr. Brock. He wanted to know the blue area.

21 MR. BROCK: Well, I was just
22 trying to give him an idea of what the...

23 MS. PANIGEO: A block is three
24 miles?

25 MR. BROCK: That's right, a block
is three miles. This distance from here to here, what's three

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1 times 23? It's 69 miles across here and a little more than that
2 from here. I don't have the number off the top of my head of how
3 many acres are there, but we're talking about each block, each
4 three mile by three miles block, has a little over 5,000 acres in
5 it. So, we're talking about millions of acres in this blue area.

6 In this area here, we're talking about, I believe, 21
7 million. In this total area inside these lines are 49 million
8 acres. I don't have the figure for this of the top of my head, but
9 I would guess it would be --

10 MR. BROWER: Yesterday we figured
11 out 121 miles by 75 miles for the blue section.

12 MR. SCHINDLER: Yes, that sounds
13 close, Charlie.

14 MR. BROCK: It's probably a little
15 over three million acres, I would guess, is what my estimate would
16 be. I don't have that figure off the top of my head, but it's
17 somewhere in that vicinity.

18 MR. SCHINDLER: Can you translate
19 that, Mabel?

20 (TRANSLATION BY MS. PANIGEO)

21 DAVID KAGAK: (SPEAKS IN INUPIAT)

22 TRANSLATION BY MS. PANIGEO: If
23 there is a lease sale, he would also like to find out who gets the
24 money from the lease, where the money goes.

25 MR. BROCK: As we pointed out in

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1 our talk, the opening part, the money goes directly into the
2 federal treasury and Congress re-appropriates that. Now, there is
3 a small amount, this area about 3 miles wide here, 27% of the money
4 that comes from the lease there goes directly to the State. But
5 you might as well say that most of the money goes directly into the
6 federal treasury and congress re-appropriates it for whatever need
7 that they see fit.
8

9 (TRANSLATION BY MS. PANIGEO)

10 DAVID KAGAK: (SPEAKS IN INUPIAT)

11 TRANSLATION BY MS. PANIGEO: And
12 should the drilling take place out there in the sea, and if there
13 is a blowout in one of the rigs, how are you going to clean it up
14 right in the middle of winter?

15 MR. BROCK: One, it would depend
16 on when they drill. I don't know whether this area is set up for a
17 summer drilling or a winter drilling. Do you know, Leroy, right
18 off the top of your head, whether this would be summer?

19 MR. STRINGFELLOW: If it's mostly
20 deep water, I think it would be mostly summer drilling.

21 MR. BROCK: If it's the deeper
22 water, it's summer drilling. They haven't been drilling those in
23 the wintertime so a winter oil spill wouldn't happen if they drill
24 in the summertime. If they drill in the wintertime, if it's in
25 shallow water they would use some kind of a bottom founded
structure which would not allow oil to spill into the ice. In

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1 other words, it's a gravel island or something of that type. Does
2 that help?

3 (TRANSLATION BY MS. PANIGEO)

4 MS. PANIGEO: What was that you
5 mentioned about not getting under the ice?

6 MR. BROCK: If they use an island
7 or something like that, it would be bottom founded and if there was
8 an oil spill, it wouldn't be under the ice. In other words, it
9 would be a gravel island, it would be just dirt right to the
10 surface, is what I was trying to say.

11 (TRANSLATION BY MS. PANIGEO)

12 MR. BROCK: Now, we will take
13 these concerns and questions you have brought up and they will be
14 answered in the EIS and there will be a more thorough answer than
15 what I am giving you off the top of my head. We are using these
16 comments as comments for the EIS.

17 (TRANSLATION BY MS. PANIGEO)

18 DAVID PAGAK: (SPEAKS IN INUPIAT)

19 TRANSLATION BY MS. PANIGEO: About
20 the noise vibrations from an oil rig, whether on top of the water
21 or from a ship. Have you found out the noise vibrations, how far
22 they go on the water? Have you found that out?

23 MR. BROCK: That's covered in the
24 EIS. I don't know what those figures are off the top of my head,
25 but it's in the EIS.

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1
2 MR. SCHINDLER: We have ongoing
3 studies.

4 MR. BROCK: And we have ongoing
5 studies on that also.

6 (TRANSLATION BY MS. PANIGEO)

7 DAVID PAGAK: (SPEAKS IN INUPIAT)

8 TRANSLATION BY MS. PANIGEO: He
9 was even anxious to ask this question. One winter in 1956 or 1957,
10 one of the two, there was an icebreaker out in the sea and during
11 that time Wainwright did not sight any whales whatsoever because of
12 that icebreaker that was out on the sea.

13 MR. SCHINDLER: What time of year
14 was it, Mabel?

15 DAVID KAGAK: I think it was 1956
16 or '57.

17 MS. PANIGEO: Early spring, during
18 the spring whaling.

19 DAVID KAGAK: (SPEAKS IN INUPIAT)

20 TRANSLATION BY MS. PANIGEO: All
21 during the spring whaling, none of them sighted any whales. What
22 he has personally experienced, he is giving as a testimony. It is
23 not hearsay.

24 MR. BROCK: That's good. Thank
25 you.

DAVID KAGAK: (SPEAKS IN INUPIAT)

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1
2 TRANSLATION BY MS. PANIGEO: One
3 last question. If and when there is drilling and an oil company
4 that decides if and when to drill oil anywhere south of Wainwright,
5 David's concern is that the people of Wainwright be notified of any
6 kind of activity before it actually happens, any kind of drilling,
7 any kind of resource going on.

8 MR. BROCK: We will.

9 DAVID KAGAK: Okay, that's my
10 testimony so I'm going to... I just happen to have got this
11 testimony from Barrow and I would pass this letter here to the
12 OCS. This testimony was given by Nalikak and I would like to back
13 this up, this letter dated December 8, 1986.

14 MR. BROCK: Okay. Do you want to
15 give that to us?

16 MR. SCHINDLER: That's the
17 testimony that we got yesterday. We have it on tape.

18 DAVID KAGAK: This testimony was
19 written so --

20 MS. PANIGEO: It's that guy, Ron
21 Nalikak, from the Alaska Eskimo Whaling Commission.

22 MR. BROCK: Thank you, sir. It
23 will be in there.

24 MS. PANIGEO: It will clarify what
25 he said and he wants to back him up.

MR. BROCK: Thank you.

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1 DAVID PAGAK: That's all I have.

2 MR. BROCK: Thank you. Any other
3 comments about our impact statement? If not, we'll be glad to
4 close our hearing and get out of your hair and go on our way.

5 UNIDENTIFIED VOICE: Will you
6 answer questions after the hearing?

7 MR. BROCK: Yes. The fact is, if
8 we don't have any other comments, we'll go off the record and try
9 to answer some questions if you have any. Yes, sir?

10 MR. PATKOTAK: My name is Billy
11 Patkotak and I've been working at the DEW Line for a long time.

12 MR. BROCK: Will you spell your
13 name, please?

14 MR. PATKOTAK: P-A-T-K-O-T-A-K.

15 My concern is that blue area on the map there. The waters
16 west of Point Barrow, are you aware of the much stronger prevailing
17 currents than that east of Barrow?

18 Now, if a substantial amount of oil is discovered in that
19 area, how would it be recovered? Would it be recovered by tanker
20 or by platforms?

21 MR. BROCK: I'd have to check the
22 EIS. I don't know right off the top of my head what our assumption
23 was.

24 MR. PATKOTAK: I'll keep going
25 ahead and that way you can answer me after the hearing. I am

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1 concerned about that blue area up there knowing that it is the
2 migration route of the marine mammals that we have here in the
3 Arctic. My concern is that anything, like, supposing you have a
4 platform out there in the ocean somewhere, I would like to know if
5 that were to take place, all the mammals, not only in that area
6 would be affected.

7
8 In that area there is a migration route of marine
9 mammals. All the villages east of that area, I am sure that they
10 would suffer. Supposing that the oil spill happened and then it
11 would just get out of hand and that is my main concern.

12 Since it is my main concern, I'm in favor of a deferment
13 of exploration until the water east of Barrow is explored or that
14 the platform or the whatever they have there, they have been proven
15 reliable. That is my main concern because I know that area, that
16 blue area there, for all the years that I worked for the Coast and
17 Geodesic Survey, and I know, I've lived in Barrow, I know how
18 strong the currents are there.

19 I would be very much in favor of doing your exploring as
20 much as you can east of Barrow and then if you are exhausted and
21 have no place else to go, then, probably in five years or so, come
22 back to us again.

23 Again, I will make my point that my main concern is that
24 blue area, whatever you call it, --

25 MR. SCHINDLER: The western
deferral.

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1
2 MR. PATKOTAK: -- the pink area
3 there, is actually the migration route of all the marine mammals
4 that we have here, not just the whales. Beluga whale, walrus,
5 especially walrus around that Point Belcher area, that's a
6 migration route.

7 Supposing a big major oil spill, I hope it never will
8 happen, but if it does, Barrow better know about this. They had
9 better not say yes right away. They had better advise you people
10 to defer because if there is any major oil spill ever happens in
11 that area, all the villages east of Wainwright through Barrow,
12 Kaktovik, Nuiqsut, will be affected because I know, since I worked
13 for the Coast and Geodesic Survey, the main prevailing currents at
14 this time of the year is going south and in the summer it switches
15 back-east.

16 MR. BROCK: Thank you.

17 MR. PATKOTAK: Thank you for
18 listening to me.

19 MR. BROCK: Any other comments?
20 Go ahead, sir.

21 MR. ADAMS: My name is Johnny
22 Adams and I work for the North Slope Borough Public Utilities.

23 I'd like to say something about what we're talking about
24 here, about some of the studies of the prevailing -- like Billy
25 Patkotak said, the prevailing currents and the ice movement in the
summertime. In the summertime, the ice goes in and out

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1 periodically, as far as I know, as living in Barrow for practically
2 all my life and as a whaler at 14 years old and a crew member and a
3 captain. We know that the currents move east and west and they
4 move periodically.

5 One day you might be going this way and maybe the next
6 week it's going the other way. And maybe next week it's coming
7 that way toward you and that's when you pull out. You get out of
8 there because that's the most dangerous current there is, that I
9 know of, that they call Pysetna (ph).

10 From the stories that I read and some of the documents
11 that I've read in the books and some of the testimonies back in
12 1936, out around by Cross Island or someplace around there, that
13 ice was so bad it covered about two hundred feet way up to the
14 tundra. And it was on the recurrence of that later, about twenty
15 years ago, or what is was, some of the people here might now what
16 date it was, --

17 MR. SCHINDLER: 1959.

18 MR. ADAMS: But this is some of my
19 concern and also my other concern is about employment and job
20 training for local people because it's sometimes hard to come by in
21 certain times of the year and activities within this Borough.

22 Now, if there is oil development, will there be
23 opportunities for employment? Will there be training for
24 employment? Will there be necessary facilities for the public to
25 compensate them for, you know, any compensation or anything to the

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1 government or to the State or to the North Slope Borough? I know
2 you said the federal treasury.

3 Now, is part of that money going to go into the Borough
4 and the impacted area? And further, that I know there will be
5 another public hearing when they start transporting that oil to the
6 pipeline or whatever, but these things take a lot of planning, as
7 you all know, and there's a lot of input from the local expertise
8 and the local people about how the land and the sea operates and
9 how it affects everybody.

10 And I think that is the end of my testimony. Thank you.

11 MR. BROCK: Thank you. Any other
12 comments? Yes?

13 MS. AGNASAGGA: I'd like to make
14 one last comment. I was reading this -- my objection to the
15 Chukchi area and it comes to my mind that if the oil development
16 ever comes, you know, occurs, I'd like to see the money in the
17 North Slope villages because right now we're really -- everybody
18 knows in the villages that the money is exhausted and we have so
19 much to do in our village yet. We've been trying for the roads
20 here to be worked on.

21 We need a lot of things yet. I'd like to see that money
22 come into the villages that are going to be impacted on. That's
23 one thing I'd like to see.

24 Personally, I would like to say that the permanent fund
25 dividend that we have every year, I think personally I should say

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1
2 that it should have been distributed to the North Slope Borough
3 area only, but it has to be turned over to all Alaskans. That's
4 how kind Inupiats are.

5 MR. BROCK: Thank you. Mayor, did
6 you put up your hand?

7 MAYOR KAGAK: Yes. I was going to
8 ask, you say those blocks on that blue thing, that's all the blocks
9 that's leased or just here or there?

10 MR. BROCK: If we're through with
11 the testimony, why don't we go off the record and I'll try to
12 answer any questions you have? Yes?

13 MS. SMITH: I'd like to make a
14 statement. My name is Roberta Smith and I am employed with the
15 North Slope Borough Planning Department. However, as Johnny says,
16 I think as a member of the North Slope Borough and as a citizen, I
17 have several questions and I'm sure they must be being addressed
18 somewhere.

19 But when you take a village the size of Wainwright or
20 Kaktovik, what kind of growth is going to happen in those
21 communities once exploration has taken place and they find that
22 it's feasible to drill for oil? When are these types of issues
23 going to be addressed? What kind of search and rescue types of
24 things are you going to have to do?

25 Certainly, you're going to have to have medivacs. You're
going to have accidents, those types of things. When and how are

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1 these going to be addressed?

2 MR. BROCK: Again, I'd like to go
3 off the record and we'll answer any questions you have because the
4 record is for you to testify and for your comments. We'll go off
5 and I'll try to answer anything that we can.

6 MS. SMITH: Okay.

7 MR. BROCK: We'll take the
8 questions and they'll get into the record as a concern. Why don't
9 we do it that way?

10 MS. SMITH: That's fine. I
11 apologize for not...

12 MR. BROCK: That's fine.

13 MS. SMITH: I guess one of my big
14 concerns would be that it's really hard to watch small communities
15 transform and grow at a rapid rate and with potential oil
16 development you're facing that possibility in any of these
17 communities.

18 It would be my concern that these types of issues be
19 addressed and brought to the community as a part of your public
20 hearing. I guess that's the only part that I haven't heard
21 covered.

22 MR. BROCK: Any other comments for
23 the record? If not, we'll close the hearing at 8:30.

24 (OFF THE RECORD)

25 * * * END OF PROCEEDINGS * * *

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1
2 C E R T I F I C A T E

3 UNITED STATES OF AMERICA)
4) ss.
5 STATE OF ALASKA)

6 I, Angela K. Hecker, Court Reporter for Accu-Type
7 Depositions, state of Alaska, hereby certify:

8 That the foregoing pages numbered 3 through 40 contain a
9 full, true and correct transcript of proceedings in the matter of
10 the Draft Environmental Impact Statement for the Proposed Oil and
11 Gas Lease Sale 97 in the Beaufort Sea as transcribed by me to the
12 best of my knowledge and ability from reel to reel tape identified
13 as follows:

14 Tape No. 881, Log Nos 1175-END.

15 DATED at Anchorage, Alaska, this 14th day of January,
16 1987.

17 SIGNED AND CERTIFIED TO BY:

18 
19 Angela K. Hecker
20 Court Reporter



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